

PATENT
Attorney Docket No. 127.0003-03000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
John I. Shipp et al.)
Serial No.: 10/619,987)
Filed: June 12, 2003)
For: SURGICAL LIGATION CLIP AND)
METHODS FOR USE THEREOF.)

Confirmation No.: 8851

Group Art Unit: 3731

Examiner: Michael H. Thaler

RECEIVED
CENTRAL FAX CENTER

JUN 28 2007

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final Action or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), the fee of \$180.00 as specified by Section 1.17(p) is to be charged to Deposit Account No. 50-1068.

Copies of the listed non-U.S. Patent documents are enclosed herewith.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

06/29/2007 NNGUYEN1 00000043 501068 10619987

01 FC:1006

100.00 DA

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1068.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: June 28, 2007

By: Thomas H. Martin
Thomas H. Martin
Registration No. 34,383

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: 330-877-0700
Facsimile: 330-877-2030

OMB 0651-0031

Substitute for FORM PTO-1449		Attorney Docket Number 115.0004-03000		Customer No. 22882		
INFORMATION DISCLOSURE CITATION IN AN APPLICATION		Applicant John Shipp et al.		Application Number 10/619,987		
(Use several sheets if necessary) Sheet <u>1</u> of <u>4</u>		Filing Date June 12, 2003		Group Art Unit 3731		Examiner M. Thaler
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	Re. 35,525	6/1997	Stefanchik et al.			
	648,841	5/1900	Brosnan			
	1,458,797	6/1923	Beale			
	2,489,372	2/1950	Kortlucke, Jr. et al.			
	2,874,384	2/1959	Krone			
	2,876,778	3/1959	Kees, Jr.			
	3,023,468	3/1962	Hord et al.			
	3,032,039	5/1962	Beaty			
	3,098,232	7/1963	Brown			
	3,270,745	9/1966	Wood			
	3,363,628	1/1968	Wood			
	3,439,522	4/1969	Wood			
	3,439,523	4/1969	Wood			
	3,518,993	7/1970	Blake			
	3,675,688	7/1972	Bryan et al.			
	3,683,927	8/1972	Noiles			
	3,827,277	8/1974	Weston			
	3,827,438	8/1974	Kees			
	3,911,923	10/1975	Yoon			
	3,989,049	11/1976	Yoon			
	4,017,337	4/1977	Winter et al.			
	4,041,931	8/1977	Elliot et al.			
	4,086,926	5/1978	Green et al.			
	4,146,130	3/1979	Samuels et al.			
	4,170,990	10/1979	Baumgart et al.			
	4,217,902	8/1980	March			
	4,226,242	10/1980	Jarvik			
	4,242,902	1/1981	Green			
	4,299,224	11/1981	Noiles			

	4,349,028	9/1982	Green			
	4,372,316	2/1983	Blake, III et al.			
	4,412,539	11/1983	Jarvik			
	4,425,915	1/1984	Ivanov			
	4,427,008	1/1984	Transue			
	4,430,997	2/1984	Di Giovanni et al.			
	4,444,187	4/1984	Perlin			
	4,448,193	5/1984	Ivanov			
	4,449,530	5/1984	Bendel et al.			
	4,450,839	5/1984	Transue			
	4,450,840	5/1984	Mericle et al.			
	4,471,780	9/1984	Menges et al.			
	4,478,218	10/1984	Mericle			
	4,478,220	10/1984	Di Giovanni et al.			
	4,480,641	11/1984	Falla et al.			
	4,485,816	12/1984	Krumme			
	4,500,024	2/1985	Di Giovanni et al.			
	4,556,058	12/1985	Green			
	4,589,346	2/1986	Poirier			
	4,570,633	2/1986	Golden			
	4,665,908	5/1987	Jervis			
	4,674,504	6/1987	Killeman et al.			
	4,696,396	9/1987	Samuels			
	4,702,247	10/1987	Blake, III et al.			
	4,788,966	12/1988	Yoon			
	4,799,481	1/1989	Transue et al.			
	4,821,721	4/1989	Chin et al.			
	4,834,096	5/1989	Oh et al.			
	4,844,066	7/1989	Stein			
	4,854,317	8/1989	Braun			
	4,869,268	9/1989	Yoon			
	4,934,364	6/1990	Green			
	5,002,563	3/1991	Pyka et al.			
	5,037,433	8/1991	Wilk et al.			
	5,044,540	9/1991	Dulebohn			
	5,084,057	1/1992	Green et al.			
	5,171,249	12/1992	Stefanchik et al.			
	5,171,250	12/1992	Yoon			
	5,190,203	3/1993	Rodak			

	5,192,288	3/1993	Thompson et al.			
	5,197,970	3/1993	Green et al.			
	5,242,456	9/1993	Nash et al.			
	5,257,713	11/1993	Green et al.			
	5,290,299	3/1994	Faln et al.			
	5,300,081	4/1994	Young et al.			
	5,340,360	8/1994	Stefanchik			
	5,364,002	11/1994	Green et al.			
	5,366,134	11/1994	Green et al.			
	5,383,880	1/1995	Hooven			
	5,389,098	2/1995	Tsuruta et al.			
	5,431,668	7/1995	Burbank, III et al.			
	5,431,669	7/1995	Thompson et al.			
	5,439,468	8/1995	Schulze et al.			
	5,487,746	1/1996	Yu et al.			
	5,501,693	3/1996	Gravener			
	5,509,920	4/1996	Phillips et al.			
	5,514,149	5/1996	Green et al.			
	5,527,318	6/1996	McGarry			
	5,527,319	6/1996	Green et al.			
	5,542,949	8/1996	Yoon			
	5,547,474	8/1996	Kloekl et al.			
	5,593,414	1/1997	Shipp et al.			
	5,620,452	4/1997	Yoon			
	5,653,720	8/1997	Johnson et al.			
	5,681,330	10/1997	Hughett et al.			
	5,695,502	12/1997	Pier et al.			
	5,700,270	12/1997	Peyser et al.			
	5,700,271	12/1997	Whitfield et al.			
	5,702,408	12/1997	Wales et al.			
	5,833,700	11/1998	Fogelberg et al.			
	5,843,097	12/1998	Mayenberger et al.			
	5,849,019	12/1998	Yoon			
	5,855,590	1/1999	Malecki et al.			
	5,858,018	1/1999	Shipp et al.			
	5,897,565	4/1999	Foster			
	5,921,997	7/1999	Fogelberg et al.			
	5,993,465	11/1999	Shipp et al.			
	6,139,555	10/2000	Hart et al.			

	6,159,223	12/2000	Danks et al.			
	6,193,732	2/2001	Frantzen et al.			
	6,350,269	2/2002	Shipp et al.			
	6,464,710	10/2002	Foster			
	6,652,539	11/2003	Shipp et al.			
	6,652,545	11/2003	Shipp et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	40 15 562	11/1991	Germany			YES
	1389 762	4/1988	U.S.S.R.			NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
Papainoannou, Thanassis, M.S., Daykhovsky, Leon, M.D., Grundfest, Warren S., M.D.: "Safety Evaluation of Laproscopically Applied Clips": <i>Journal of Laproscopic Surgery</i> 1996: 6(2): 99-106.						
Nelson, Timothy M., M.D., Nakashima, Masanobu, M.D., Mulvihill, Sean J., M.D.: "How Secure Are Laproscopically Placed Clips? An In Vitro and In Vivo Study": <i>Arch Surg.</i> 1992: 127:718-720: pub. Dec. 8, 1991.						
Arnaud, Jean-Pierre, M.D., Bergamaschi, Roberto, M.D.: "Migration and Slipping of Metal Clips After Celloscopic Cholecystectomy": <i>Surgical Laproscopy & Endoscopy</i> 1993: 3(6): 487-488: pub. 1993 Raven Press, Ltd., New York.						
Klein, R.D., Jessup, G., Ahari, F., Connolly, R.J., Schwaitzberg, S.D.: "Comparison of titanium and absorbable polymeric surgical clips for use in laproscopic cholecystectomy": <i>Surgical Endoscopy</i> 1994: pub. 1994 Springer-Verlag New York Inc..						
EXAMINER		DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.						